

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

DAVID MUSIL and MARLA MUSIL,)
Husband and Wife,)
)
 Plaintiffs,)
)
 v.)
)
TRENTON AGRI PRODUCTS LLC,)
)
 Defendant.)
)
TRENTON AGRI PRODUCTS LLC,)
)
 Third-Party Plaintiff,)
)
 v.)
)
SOUTHWEST FERTILIZER, INC.,)
)
 Third-Party Defendant.)

No. 4:17-cv-03109

PROTECTIVE ORDER

Pursuant to Rule 26(c) of the Federal Rules of Civil Procedure:

IT IS HEREBY ORDERED that Defendant's unopposed motion, (Filing No. 29), is granted as follows:

1. As used in this Order, **CONFIDENTIAL MATERIAL** shall mean and refer to materials that constitute business or trade secrets or proprietary business information.
2. All **CONFIDENTIAL MATERIAL** shall be retained in the custody of the respective counsel of record, who shall be responsible for restricting disclosure in accordance with provisions of this Order.

3. All **CONFIDENTIAL MATERIAL**, and the facts and information in the **CONFIDENTIAL MATERIAL**, shall not be disclosed to any person except as specifically provided for below.

4. All **CONFIDENTIAL MATERIAL** shall be designated as **CONFIDENTIAL MATERIAL** by marking the words “**CONFIDENTIAL MATERIAL**” or some similar phrase on the face of the documents.

5. Access to **CONFIDENTIAL MATERIAL** shall be limited to plaintiff, defendants, counsel of record for the respective parties to this action, and regular employees and law clerks of said counsel who are assisting in the prosecution of this litigation, expert witnesses identified by counsel, consulting experts, and appropriate court personnel in the regular course of litigation.

6. Disclosure of the **CONFIDENTIAL MATERIAL** to the plaintiff, defendants, and/or to any other persons other than law firm of record personnel in accordance with the terms of this Protective Order must be accompanied by a copy of this Protective Order, and counsel must inform said person(s) of the terms of this Protective Order, and said person(s) must agree to be bound by its terms.

7. If it becomes necessary to submit **CONFIDENTIAL MATERIAL** to the Court in connection with any filings or proceedings in this litigation, the party using it shall move the Court to file such **CONFIDENTIAL MATERIAL** under restricted access with the Clerk of the Court.

8. Nothing in this Order shall be construed to restrict the use or disclosure of any documents which a party or non-party shall have acquired from independent sources.

9. Personally identifying information, such as social security numbers, medical records and tax returns, while not considered **CONFIDENTIAL MATERIAL**, will be used only for purposes of this case, and shall not be disseminated for any non-litigation purpose.

10. This Order shall be vacated on June 30, 2022, or at the end of this litigation, whichever is later.

11. This Order may be modified or amended by agreement of the parties or upon further Order of the Court.

Dated this 21st day of May, 2018.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge